

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LOYDALE KIRVEN,

Plaintiff,

v.

No. 16-cv-1162 MV/SMV

FNU HOLLIS and FNU LNU,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. The record reflects that a recent mailing to Plaintiff at the Curry County Adult Detention Center was returned as undelivered, with a notation that “addressee not here.” See [Doc. 4]. It appears that Plaintiff has been released from custody or transferred without advising the Court of his new address, as required by D.N.M.LR-Civ. 83.6, thus severing contact with the Court. Because Plaintiff has failed to comply with the Court’s local rules, he will be required to show cause why his Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus by a Person in State Custody [Doc. 1] should not be dismissed. See *Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980) (“It is incumbent on litigants, even those proceeding pro se, to follow the federal rules of procedure. The same is true of simple, nonburdensome local rules” (citation omitted)). Failure to comply with this Order may result in the dismissal of this action without prejudice without further notice.

IT IS THEREFORE ORDERED that, within 21 days from entry of this order, Plaintiff shall notify the Clerk of the Court in writing of his current address or otherwise show cause why his § 2254 petition should not be dismissed.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge